

THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
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UNITED STATES OF AMERICA,

Plaintiff,

vs.

CLIVEN D. BUNDY,
RYAN C. BUNDY,
AMMON E. BUNDY, and
RYAN W. PAYNE,

Defendants.

2:16-cr-46-GMN-PAL-1-4

DATE: November 13, 2017

Courtroom 7C

THE HONORABLE GLORIA M. NAVARRO, CHIEF UNITED STATES DISTRICT JUDGE

DEPUTY CLERK: Aaron Blazeovich

COURT REPORTER: Heather Newman

COUNSEL FOR PLAINTIFF: Nadia Ahmed, Steven Myhre and Daniel Schiess with FBI Agents Joel Willis, Sharon Gavin and Mike Abercrombie

COUNSEL FOR DEFENDANT: Bret Whipple, Alissa Engler, Maysoun Fletcher (Stand-by Counsel for Ryan Bundy), Daniel Hill, Jay Morgan Philpot, Brenda Weksler, and Ryan Norwood

PRETRIAL SERVICES: Erin Oliver

MINUTES OF PROCEEDINGS: Detention and Motion Hearing

8:53 p.m. The Court convenes. The Court **GRANTS** Motions for Joinder (ECF Nos. 2729, 2734, 2737, 2741, 2750, 2758 and 2767 as to Ammon Bundy, Micah McGuire, Cliven Bundy, Jason Woods, Melvin Bundy, David Bundy, and Joseph O'Shaughnessy). The Court **DENIES as moot** Motions for Joinder (ECF Nos. 2731 and 2736 as to Defendants Eric Parker and O. Scott Drexler, respectively). The Court makes findings as stated on the record. The Court states it will provide a jury instruction regarding lost information. The Court states it will need additional *in camera* information regarding the Sal Laro letter and the standoff anniversary.

10:21 a.m. The Courtroom is **SEALED**. The Court **GRANTS** Ammon Bundy's Motion for Joinder (ECF No. 2811) and **DENIES as moot** Ryan Payne's Motion for Relief (ECF No. 2792). The Court makes rulings as stated on the record. The Court **GRANTS IN PART AND DENIES IN PART** Defendant Ryan Payne's Motion to Dismiss (ECF No. 2727) as stated on the record. Mr. Norwood makes an oral motion to dismiss or, alternatively, for mistrial. The Court **DENIES** the motion. The Court hears arguments on the Motion to Dismiss (ECF No. 2848). The Motion to Dismiss (ECF No. 2848) is **DENIED without prejudice**. Ryan Payne's oral Motion for Joinder is **GRANTED**.

12:11 p.m. The Court stands at recess for lunch.

2:10 p.m. The Court reconvenes. The Courtroom remains **SEALED**. Mr. Ryan Bundy makes a Motion for Joinder which is **GRANTED**, with the exception of the request for continuance. Mr. Bundy renews his motion for release pending trial. Mr. Schiess responds. The Court states its intentions to proceed forward with trial. Mr. Myhre responds. The Court releases Mr. Ryan Bundy on a PR bond with conditions as stated on the record.

3:37 p.m. The Courtroom is **UNSEALED**. Mr. Schiess makes representations regarding Mr. Ammon Bundy's continued detention hearing. Mr. Hill responds on behalf of Mr. Ammon Bundy. Exhibits are marked but not admitted. The Court makes findings as stated on the record and **DENIES** the defendant's release pending trial. The Court and parties discuss further details of Mr. Ryan Bundy's release. The Court informs the parties of the proceeds for the next day's proceedings. Mr. Myhre requests the Defendants be prohibited from addressing topics from today's proceedings during their opening statements. Mr. Philpot responds.

4:20 p.m. The Court stands at recess. Defendants Cliven Bundy, Ammon Bundy and Ryan Payne are remanded to custody. Mr. Ryan Bundy is remanded to custody for processing so he may be released on bond.

DEBRA K. KEMPI, CLERK
U.S. DISTRICT COURT

BY: _____/S/_____
Aaron Blazeovich, Deputy Clerk